

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CARMENO SLOJKOWSKI,

Plaintiff,

vs.

CLARK COUNTY FAMILY SERVICES, *et al.*,

Defendants.

Case No. 2:12-cv-00907-KJD-GWF

ORDER

This matter is before the Court on Plaintiff's Application to Proceed *in Forma Pauperis* (#10), filed on August 31, 2012. Plaintiff is proceeding in this action *pro se*. On August 6, 2012, the Court denied Plaintiff's previous Application to Proceed *in Forma Pauperis* (#1) for failure to include a signed financial certificate (#8). Plaintiff was given 30 days to submit a signed financial certificate or pay the filing fee. On August 31, 2012, Plaintiff submitted the Application at issue and a Complaint pursuant to 42 U.S.C. § 1983, but did not pay the required filing fee of \$350.

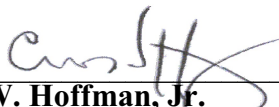
Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may only authorize the commencement of an action without prepayment of fees and costs or security therefor, by a person who submits an affidavit that includes a statement showing the person is unable to pay such costs. 28 U.S.C. § 1915(a)(1). This Court's Local Rules provide that "[a]ny person, who is unable to prepay the fee in a civil case, may apply to the Court for authority to proceed *in forma pauperis*. The application shall be made on the form provided by the Court and shall include a financial affidavit disclosing the applicant's income, assets, expenses and liabilities." LSR 1-1. The Court finds that Plaintiff's Application to Proceed *in Forma Pauperis* is incomplete because it does not include a signature and date declaring it true and correct under penalty of perjury pursuant to 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

1 Having concluded that Plaintiff is not entitled at this time to proceed *in forma pauperis*, the
2 Court need not screen the complaint under 28 U.S.C. § 1915(e)(2)(B), which requires the dismissal
3 of the case at any time if the Court determines that it is frivolous or malicious or fails to state a
4 claim upon which relief can be granted or seeks monetary relief against a defendant who is immune
5 from such relief.

6 Based on the foregoing and good cause appearing therefore,

7 **IT IS HEREBY ORDERED** that Plaintiff shall file a complete Application to Proceed *in*
8 *Forma Pauperis* accompanied by a signed statement declaring it true and correct. In the
9 alternative, Plaintiff may make the necessary arrangements to pay the filing fee of three hundred
10 fifty dollars (\$350), accompanied by a copy of this Order. Plaintiff shall have **thirty (30) days**
11 from the date on which this Order is entered to comply. Failure to comply will result in a
12 recommendation to the District Judge for dismissal of this action.

13 DATED this 5th day of September, 2012.

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16 **C.W. Hoffman, Jr.**
17 **United States Magistrate Judge**
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